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5 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
6 AT SEATTLE

7 UNITED STATES OF AMERICA, )  
8 )  
9 Plaintiff, ) Case No. CR98-00726-002 RSM  
10 v. )  
11 MICHAEL ALEXANDER TAYLOR, ) **PROPOSED FINDINGS OF**  
 ) **FACT AND DETERMINATION**  
 ) **AS TO ALLEGED**  
 ) **VIOLATIONS OF**  
 ) **SUPERVISED RELEASE**  
 )

12 INTRODUCTION

13 I conducted a hearing on alleged violations of supervised release in this case on March 17,  
14 2009. The defendant appeared pursuant to a warrant issued in this case. The United States was  
15 represented by Michael Dion, and defendant was represented by Keith Macfie. Also present was  
16 U.S. Probation Officer Robin L. Elliot. The proceedings were digitally recorded.

17 CONVICTION AND SENTENCE

18 Defendant was sentenced on July 30, 1999 by the Honorable Barbara J. Rothstein for  
19 Conspiracy to Distribute Methamphetamine. He received 60 months of imprisonment and 5  
20 years of supervised release. Defendant has a history of violations of his supervised release.

21 PRIOR VIOLATIONS

22 1. On March 3, 2004, the Court modified the conditions of supervision with the  
23 defendant's consent, to include 120 days of home confinement with electronic monitoring, due to

1 defendant's admitted use of phencyclidine (PCP).

2 2. On March 9, 2005, the Court modified the conditions of supervision with the  
3 defendant's consent, to include participation in a residential reentry center program for 120 days,  
4 due to defendant's admitted use of marijuana and heroin.

5 3. On September 17, 2008, the Court directed the issuance of summons based upon  
6 four supervision violations:

- 7 a. Committing the crime of Attempting to Elude a Police Vehicle;
- 8 b. Committing the crime of Negligent Driving, First Degree;
- 9 c. Committing the crime of Driving Under the Influence; and
- 10 d. Consuming PCP.

11 On October 24, 2008, defendant admitted all four violations of supervision. Defendant's  
12 supervised release was revoked on October 29, 2008, and he received 30 days of imprisonment.  
13 Upon release from imprisonment, defendant was placed on 12 months of supervision with  
14 standard and special conditions of supervision. Defendant's term of supervised release  
15 commenced December 2, 2008, and is scheduled to terminate on December 1, 2009.

16 PRESENTLY ALLEGED VIOLATIONS AND  
17 DEFENDANT'S ADMISSION OF THE VIOLATION

18 In a petition dated February 26, 2009, Senior U.S. Probation Officer Mark J. Chance alleged  
19 that defendant violated the following conditions of supervised release:

- 20 1. Using phencyclidine (PCP) on or before February 23, 2009, in violation of standard  
21 condition No. 7.
- 22 2. Failing to comply with the home confinement program with electronic monitoring  
23 and sobriety, in violation of special condition No. 8.

1 Defendant admitted the above violations, waived any hearing as to whether they occurred,  
2 and was informed the matter would be set for a disposition hearing on March 27, 2009 at 2:30  
3 p.m. before District Judge Ricardo S. Martinez.

4 RECOMMENDED FINDINGS AND CONCLUSIONS

5 Based upon the foregoing, I recommend the court find that defendant has violated the  
6 conditions of his supervised release as alleged above, and conduct a disposition hearing.

7 DATED this 17<sup>th</sup> day of March, 2009.

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10 BRIAN A. TSUCHIDA  
United States Magistrate Judge